



Idaho Fast Fact Master List

Idaho was the last of the fifty states to be sighted by white, European explorers in 1805.

Over two million acres in size, the Frank Church River of No Return Wilderness Area, established in 1980 and named after the late, four-term Democrat U.S. Senator, is the largest wilderness area in the lower forty-eight states.

If the state of Idaho were flattened by a steam roller, the land mass would expand into the largest of all the lower forty-eight states.

Idaho was one of the first states in the country to pass a malicious harassment law, which was signed into law by Governor John Evans on March 30, 1983.

The Nez Perce Tribe ceded land to the federal government by treaty in 1855, yet retained the right to fish on those lands forever.

The Coeur d'Alene Tribe once inhabited more than 3.5 million acres of land in what is now northern Idaho and northeastern Washington State.

The aboriginal lands of the Nez Perce Tribe alone once covered 14 million acres prior to conquest and settlement.

The Kootenai Tribe, left out of the 1855 treaty with the federal government, was later given land by Congress in 1974, and today is the smallest tribe in Idaho.

The Coeur d'Alene Tribe is the largest employer in Benewah County, and the tenth largest in Kootenai County.

On June 18, 2001 the U.S. Supreme Court ruled that the Coeur d'Alene Tribe and not the State of Idaho possesses lands under parts of Lake Coeur d'Alene and the St. Joe River. This land is held in trust by the federal government.

Over 370 treaties were signed between Indian tribes and the federal government before 1871, when Congress banned any more treaties.

Jeanne Givens of Coeur d'Alene was the first and only female tribal member ever elected to the Idaho Legislature.

Larry Echo Hawk was the first Idaho tribal member elected to the Idaho Legislature and later served as Idaho Attorney General and ran for governor unsuccessfully against Phil Batt in 1994.

Cecil D. Andrus, former Idaho governor, was the first Idahoan to serve as a cabinet member of a president's administration. He was Secretary of the Interior from 1977-1981.

Republican U.S. Senator William E. Borah and Democrat U.S. Senator Frank Church each served as chairman of the U.S. Senate Foreign Relations Committee.

Idaho is one of only a handful of states that has "election day registration." Voters can literally register at the polls and vote if they have some proof of residence.

Moses Alexander was the first elected Jewish governor in America. He was elected in 1914 and reelected in 1916.

Larry Echo Hawk is reputed to be the first Native American to ever be elected a state attorney general.

In 1958 the Democrats took control of both the House and Senate and all of the state elected offices except governor. The Democrats have not controlled either house of the legislature since.

From 1971 to 1995, the Democrats controlled the governor's office.

Idaho is now the most Republican state in the union.

Idaho is the only state to have an entire separate article in its constitution dedicated to water.

A St. Maries dogcatcher led an unsuccessful movement to recall United States Senator Frank Church in the 1960s. The effort gained national attention and was featured in an article in the *New York Times*.

Frank Steunenberg became governor in 1896 by the widest vote margin in Idaho history. He received 79.79 of the vote. Three parties – People's Democratic, Silver Republicans, and Elect Democrat, nominated him. In the next election, he won but only got 48.83 of the vote. In 1905 he was assassinated. His statue is in the park across from the capitol.

Governor C. Ben Ross successfully proposed a sales tax for Idaho in 1935. It lasted only 18 months and was repealed in the 1936 referendum vote. People called it "pennies for Benny."

Idaho has historically been among the nation's leaders in voter turnout at the general elections.

Unlike many other western states, Idaho voters cannot amend the constitution through the initiative process.

Women's suffrage – Idaho was the fourth state to adopt woman's suffrage. It could have been the second but constitutional convention delegates were put off by the women's movement being too closely tied to the prohibition effort.

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Two Idaho towns see 100 percent voter turnout

ELK CITY — At least two Idaho towns can claim 100-percent voter turnout in Tuesday's municipal elections. In the Panhandle, all the registered voters in Elk City made it to the polls, including five who registered on Election Day.

And each of the 92 votes cast made a difference. The mayor's race was decided by one vote, giving challenger Mike Walk a victory.

In eastern Idaho's Big Desert, every qualified resident in Atomic City cast a ballot. Residents say that's pretty normal for their town, which has less than 30 people. Every vote counted in Atomic City, too. Each of the two city council seats were decided by one vote.

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William E. Borah and Frank Church were two famous Senators from Idaho who:

- * both served as Chair of the powerful Senate Foreign Relations Committee.
- * both were outstanding orators.
- * both ran for President of the United States; Borah in '36 and Church in '76.
- * both married daughters of Idaho Governors.
- * both were attorneys.
- * both are buried near each other at Morris Hill Cemetery in Boise.
- * both served at least 4 terms in the U.S. Senate.

Why do Americans vote the first Tuesday after the first Monday in November?

Congress in 1845 considered several factors before deciding on this odd formula for setting election day. November was chosen because, with the harvest over, farmers would be more likely to vote. As to the day, Congress ruled out Monday (first day) and Friday (the last), bypassed Saturday and Sunday (shopping and church days), and eliminated Thursday (British election day). With just Tuesday and Wednesday remaining, Congress chose Tuesday. Congress, however, recognized that an election on November 1 would disrupt accountants and shopkeepers who had to close out October books. Thus it settled on the Tuesday after the first Monday.

More information on the Federal Government and War Powers

Students will find the debates in the Constitutional Convention on executive power (June 1) and the War Power (August 17) very enlightening in understanding the thinking of the Framers on the issue of the congressional power to decide between war and peace.

At the time of the framing, the King of England possessed, as one of his prerogative powers, the authority to choose between war and peace. Commenting on that fact, James Wilson, a delegate to the Convention who was second in importance only to James Madison (justly known as the Father of the Constitution), stated: "The Prerogatives of the British Monarchy" are not a "proper guide in defining the executive powers. Some of these prerogatives were of a legislative nature. Among others that of war & peace."

Later, in addressing the Pennsylvania Ratifying Convention, Wilson summed up the aims of the War Clause of the Constitution:

" This system will not hurry us into war; it is calculated to guard against it. It will not be in the power of a single man, or a single body of men, to involve us in such distress; for the important power of declaring war is vested in the legislature at large: this declaration must be made with the concurrence of the House of Representatives; from this circumstance we may draw a certain conclusion that nothing but our national interest can draw us into war."

Similar assurance was provided in other state ratifying conventions. In North Carolina, James Iredell, a future Supreme Court Justice, stated: "The President has not the power of declaring war by his own authority....These powers are vested in other hands. The power of declaring war is expressly given to Congress." Charles Pinckney, a member of the Constitutional Convention, told the South Carolina Ratifying Convention: "The President's powers did not permit him to declare war."

The Founders were steeped in English history, and they knew well that, as Madison

said, "the management of foreign relations appears to be the most susceptible of abuse of all the trusts committed to a Government." As a consequence, the Framers granted the lion's share of foreign policy powers to Congress, in which they reposed their faith and confidence.

But they held a deep-seated fear of executive power. Alexander Hamilton echoed these concerns in Federalist No. 75: "The history of human conduct does not warrant that exalted opinion of human virtue which would make it wise in a nation to commit interests of so delicate and momentous a kind, as those which concern its intercourse with the rest of the world, to the sole disposal of a magistrate created and circumstanced as would be a President of the United States."

In Federalist No. 69, Hamilton laid bare the distinction between the powers of the King of England and those of the president on the issue of war and peace:

"The President is to be commander-in-chief of the army and the navy of the United States. In this respect his authority would be nominally the same with that of the king of Great Britain, but in substance much inferior to it. It would amount to nothing more than the supreme command and direction of the military and naval forces, as first General and Admiral of the confederacy; while that of the British king extends to the *declaring* of war and to the *raising* and *regulating* of fleets and armies, all which, by the Constitution under consideration, would appertain to the Legislature."

The power of Congress to "Declare" war was understood at the timing of the framing to be a synonym for "commence" war, that is, to initiate military hostilities. Accordingly, Congress might declare war against an enemy of the American people, or it might "authorize" hostilities against an enemy of its choosing. Chancellor James Kent of New York, one of the leading jurists of the founding period, stated: "As war cannot lawfully be commenced on the part of the United States without an act of Congress, such an act is, of course, a formal official notice to all the world, and equivalent to the most solemn declaration."

What "is essential," according to Kent, is "that some formal public act, proceeding from the competent source, should announce to the people at home their new relations and duties growing out of a state of war, and which should equally apprise neutral nations of the fact."

Whether Congress declares or otherwise authorizes war, it is performing, as James Wilson said, a "legislative" act because it is moving the nation from a state of peace to a state of war. In 1806, Justice William Paterson, who had been an influential member of the Constitutional Convention, observed in *United States v. Smith* that "it is the exclusive province of Congress to change a state of peace into a state of war."

Similarly, chief Justice John Marshall, who had been a member of the Virginia Ratifying Convention, held for the Court in 1801, in *Talbot v. Seeman*, that the "whole powers of war" are "vested in Congress...." Thus, the power of Congress

comprises the power to "declare a general war" and also to "wage a limited war."

It is to be emphasized that throughout American history, no court has held that the commander in chief clause carries with it the power to initiate hostilities. The courts, consistently, have held that the war power is vested solely and exclusively in Congress.

Nor is it the case that the Constitution grants to the president authority to order the initiation of limited hostilities. That, too, falls to Congress. The *assignment* to Congress of the authority to issue letters of marque and reprisal speaks volumes for the Framers' belief that the offensive powers of the nation should be exercised solely and exclusively by Congress. The power to issue letters of marque and reprisal was considered a specification of "imperfect" war, or limited war. In 1793, Thomas Jefferson, Secretary of State, said of the authority to issue a reprisal "Congress must be called upon to take it; the right of reprisal being expressly lodged with them by the Constitution, and not with the executive."